

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

JOHN J. AQUINO,  
CHAPTER 7 TRUSTEE  
By Its Assignee,  
Convergent Distributors of Texas, LLC  
  
Plaintiff,  
  
v.  
  
ALEXANDER CAPITAL, LP  
&  
Its Managing Partners:  
JOSEPH AMATO,  
ROCCO GUIDICIPIETRO, and  
NESA MANAGEMENT, LLC  
  
Defendants

Case #1:21-cv-01355-JSR

## DECLARATION OF ROCCO GUIDICIPIETRO

I, Rocco Guidicipietro, make the following statement under the pains and penalties of perjury:

1. I was born on September 7, 1963. I reside in Hamburg, New Jersey and am a United States citizen.

2. I am currently the Chief Operating Officer (“COO”) of Alexander Capital, L.P. and am a 50% owner of NESA Management, LLC.

3. I have never been a partner or member of Alexander Capital, L.P., nor have I ever directly owned any portion of it.

4. On December 19, 2013 NESAs Management, LLC obtained a 24.9% ownership interest in Alexander Capital, L.P.

5. On December 14, 2017 NESAs Management, LLC obtained a majority interest in Alexander Capital, L.P.

6. On September 27, 2021, Alexander Capital, L.P. corrected filing deficiencies with the state of Delaware by filing corrected certifications reflecting that Exitus, LLC became the general partner of Alexander Capital, L.P. on December 19, 2013 and that NESAs Management became the general partner on December 14, 2017. True and accurate copies of those filings are attached hereto as “Exhibit 1” and “Exhibit 2” respectively.

7. On October 24, 2021 Alexander Capital received a Certificate of Good Standing from the Delaware Secretary of State. A true and accurate copy of which is attached hereto as “Exhibit 3.”

8. The October 24, 2021 Certificate of Good Standing stated that the September 27, 2021 filings were effective as of September 28, 2021.

9. On December 13, 2021 FINRA approved NESAs Management, LLC’s request to transfer its ownership of Alexander Capital, L.P. to SENA Management, LLC, effective December 1, 2021.

10. On December 31, 2021 Alexander Capital, L.P. filed the requisite paperwork to notify the State of Delaware that SENA Management was not the general partner of Alexander Capital. A true and accurate copy of this filing is attached as “Exhibit 4.”

11. NESAs Management no longer owns any interest in Alexander Capital.

12. At various times I may have colloquially referred to myself as an “owner” of Alexander Capital, L.P., but this was intended to denote that I held an indirect ownership interest in the firm.

13. To the best of my knowledge, I have never held myself out as a partner in Alexander Capital, L.P., nor have I permitted others to do so.

14. I have never registered with FINRA as a direct owner of Alexander Capital, L.P., nor has Alexander Capital, L.P. ever informed FINRA that I had obtained a membership interest.

15. I have never entered into any contract or agreement whereby I would have a direct ownership interest in Alexander Capital, L.P.

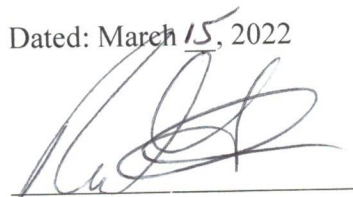
16. In my capacity as COO, I am personally aware of the business relationships of Alexander Capital, L.P.

17. Alexander Capital did not begin an attorney client relationship with Greenberg Traurig until August of 2014.

18. In my capacity as COO, I am able to review the historical records of Alexander Capital, L.P.

19. Based on a review of Alexander Capital, L.P.'s historical records, I was able to determine that the earliest email between Alexander Capital, L.P. and Marvin Rosen of Greenberg Traurig occurred on August 19, 2014, and reflected that Chris Carlin, a registered representative of Alexander Capital, L.P., had met Mr. Rosen for the first time on August 18, 2014. A true and accurate copy of that email is affixed to this declaration as "Exhibit 5."

Dated: March 15, 2022

A handwritten signature in black ink, appearing to read 'Rocco Guidici Pietro', written over a horizontal line.

Rocco Guidici Pietro